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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: NORMAN K. SPROCH

DOCKET NO.: 0268P0342

SERIAL NO.: 09/287,307

EXAMINER: THAI Q. PHAN

FILED: 04/07/1999

ART UNIT: 2123

TITLE: METHOD FOR THE CHARACTERIZATION OF THE THREE-DIMENSIONAL
STRUCTURE OF PROTEINS EMPLOYING MASS SPECTROMETRIC
ANALYSIS AND COMPUTATIONAL FEEDBACK MODELING

Box AF
Commissioner for Patents
Washington, D.C. 20231

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CERTIFICATE OF TRANSMISSION

I hereby certify that on this 3rd day of September,
2002, this correspondence is being transmitted via facsimile
(703-746-7238) to Examiner Thai Phan, at the United States Patent
and Trademark Office, Technology Center 2100 (Art Unit 2123).

By: _____

Alice B. Vanicek
Alice B. Vanicek

TO THE COMMISSIONER FOR PATENTS

DECLARATION BY NORMAN K. SPROCH

I, Norman K. Sproch, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. I further declare that I have full knowledge and understanding of the fact that willful false statements and the like made herein are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that any such statements may jeopardize the validity of the above-referenced application or of any patent granted on it.

1. I am the sole inventor and applicant in the U.S. application captioned above.

2. The invention is based on research conducted in the 1992-1995 time frame. The subject matter claimed in the present application is based entirely on work done at that time and prior

to the filing of U.S. Ser. No. 08/569,358, filed on 12/8/95, the priority of which I have claimed.

3. The invention claimed in the present application is the same as described and substantially claimed in Ser. No. 08/569,358. The only difference is in the scope of the broadest claims, which were limited to a protein molecule in the parent case and were broadened to cover large molecules in the present case. Inasmuch as the invention consists of a method of molecule three-dimensional-structure characterization, it has broader application than the characterization of protein molecules.

4. I have been working in the field of the invention for 15 years. My Master's Degree thesis is based on the subject matter described in Ser. No. 08/569,358. As a person skilled in the art, I find nothing in the claims now pending before the USPTO that was not already described in that parent case or that, if it was not specifically described, would not have been considered an obvious extension of the subject matter specifically described.

5. To the extent that differences exist between the specification and claims of the parent case and the specification and claims of the present application, they are simply due to a change in perspective and presentation of the two attorneys who prepared the cases for me. I did not add information or request changes in the new CIP application that substantively altered the invention in any way.

6. I have read the Stoughton et al. ('352) reference cited by the Examiner. To the extent this patent describes subject matter claimed in my pending application, this subject matter had been fully conceived and reduced to practice by me by the time Ser. No. 08/569,358 was filed.

By: Norman K. Sprock
Norman K. Sprock

Dated: 9-3-02